

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

FEIN, SUCH, KAHN & SHEPARD, P.C.

Counsellors at Law

7 Century Drive - Suite 201

Parsippany, New Jersey 07054

(973) 538-9300

Attorneys for Secured Creditor

JPMORGAN CHASE BANK, NATIONAL

ASSOCIATION

JILL A. MANZO, ESQ.

ZCH5584

bankruptcy@fskslaw.com

In Re:

ISAAC STOBENZKI and SHARON BETH
STOBENZKI

Debtor(s).

Case No.: 21-10293 SLM

Adv. No.:

Chapter: 13

Hearing Date: February 24, 2021

Judge: Honorable Stacey L. Meisel

**OBJECTION OF JPMORGAN CHASE BANK,
NATIONAL ASSOCIATION TO
CONFIRMATION OF DEBTOR'S PLAN**

I, JILL A. MANZO, ESQ. , do hereby certify as follows:

1. I am an attorney at law of the State of New Jersey associated with the law firm of FEIN, SUCH, KAHN & SHEPARD, PC, attorneys for **JPMORGAN CHASE BANK, NATIONAL ASSOCIATION**, ("Secured Creditor" herein), and I am fully familiar with the facts and circumstances of the within matter.

2. Secured Creditor objects to confirmation of Debtors' plan for the reasons which follow:

(a) Secured Creditor holds a mortgage on Debtors' residence which is located at 136 VAN BUREN AVE, TEANECK NJ 07666.

As of the date of the bankruptcy filing, Debtors were in default on the terms of the Note and Mortgage. Total arrears due to Secured Creditor through the plan are approximately \$3,748.48. Secured Creditor intends to fill a Proof of Claim with the Court.

(b) Part 4(a) of the Debtors' proposed Plan provides for payment of arrears of \$0.00 to the Secured Creditor. Debtors' proposed plan is insufficient in that it understates the amount of Secured Creditor's arrears that are required to be cured through the Plan. Absent a modification by the Debtors to include the correct amount of arrears, this plan can not be confirmed.

(c) Furthermore, Secured Creditor objects to Debtors' confirmation in that if the Debtors are post-petition delinquent at confirmation and Debtors' case is dismissed then any excess funds that the Chapter 13 Trustee is holding should be released to the Secured Creditor. Absent the release of such excess funds in the possession of the Trustee, Secured Creditor is substantially harmed as the Debtors have enjoyed the benefit of the automatic stay to the detriment of Secured Creditor. Absent such language in the Order of Confirmation, confirmation of Debtors' plan must be denied.

3. For the reasons stated above, and for any others that the Court deems fit to adopt, Secured Creditor respectfully objects to Debtors' plan and confirmation thereof.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by

me are wilfully false, I am subject to punishment.

FEIN, SUCH, KAHN & SHEPARD, PC.
Attorneys for JPMORGAN CHASE BANK,
NATIONAL ASSOCIATION

By: /S/JILL A. MANZO, ESQ.

DATED: January 26, 2021

cc: MOSHIE SOLOMON, ESQ. - DEBTOR(S)' ATTORNEY
MARIE-ANN GREENBERG, ESQ. - TRUSTEE

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

FEIN, SUCH, KAHN & SHEPARD, P.C.

Counsellors at Law

7 Century Drive - Suite 201

Parsippany, New Jersey 07054

(973) 538-9300

Attorneys for Secured Creditor

JPMORGAN CHASE BANK, NATIONAL

ASSOCIATION

JILL A. MANZO, ESQ.

ZCH5584

bankruptcy@fskslaw.com

In Re:

ISAAC STOBZKI and SHARON BETH
STOBZKI

Debtor(s).

Case No.: 21-10293 SLM

Chapter: 13

Adv. No.:

Hearing Date: N/A

Judge: Honorable Stacey L. Meisel

CERTIFICATION OF SERVICE

1. I, Ruth Essington:

☐ represent the _____ in this matter.

☒ am the secretary/paralegal for FEIN, SUCH, KAHN & SHEPARD, P.C.,
who represents the Secured Creditor, JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION in this matter.

☐ am the _____ in the above case and am
representing myself.

2. On January 28, 2021, This office caused to be mailed a copy of the
following pleadings and/or documents to the parties listed in the
chart below:

a. Objection to Confirmation

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
MOSHIE SOLOMON LAW OFFICES OF MOSHIE SOLOMON, P.C. ONE UNIVERSITY PLAZA SUITE 412 HACKENSACK, NJ 07601	Debtor(s)' Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other: <u>Notice of Electronic Filing</u> (D.N.J. LBR 5005-1)
MARIE-ANN GREENBERG CHAPTER 13 STANDING TRUSTEE 30 TWO BRIDGES ROAD SUITE 330 FAIRFIELD, NJ 07004	Trustee in Bankruptcy	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other: <u>Notice of Electronic Filing</u> (D.N.J. LBR 5005-1)
U.S. TRUSTEE US DEPT OF JUSTICE OFFICE OF THE US TRUSTEE ONE NEWARK CENTER, SUITE 2100 NEWARK, NJ 07102	U.S. TRUSTEE	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input checked="" type="checkbox"/> Other: <u>Notice of Electronic Filing</u> (D.N.J. LBR 5005-1)
ISAAC STOBENZKI and SHARON BETH STOBENZKI 136 VAN BUREN AVENUE TEANECK, NJ 07666	Debtor(s)	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> Other: <u>Notice of Electronic Filing</u> (D.N.J. LBR 5005-1)

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: 01/28/21

/s/Ruth Essington

Paralegal